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Confidence-building measures in the regional and subregional context

Report of the Secretary-General

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I. Introduction

1. In its resolution 65/47, the General Assembly reaffirmed the ways and means regarding confidence- and security-building measures set out in the report of the Disarmament Commission on its 1993 session, and it called upon Member States to pursue those ways and means through sustained consultations and dialogue, while at the same time avoiding actions that may hinder or impair such a dialogue. Furthermore, the General Assembly urged States to comply strictly with all bilateral, regional and international agreements, including arms control and disarmament agreements to which they are a party. The Assembly also emphasized that the objective of confidence-building measures should be to help strengthen international peace and security and be consistent with the principle of undiminished security at the lowest level of armaments, and encouraged the promotion of bilateral and regional confidence-building measures, with the consent and participation of the parties concerned, to avoid conflict and prevent the unintended and accidental outbreak of hostilities. It requested the Secretary-General to submit a report to the General Assembly at its sixty-sixth session containing the views of Member States on confidence-building measures in the regional and subregional context. The present report is submitted pursuant to that request.

2. A note verbale was sent on 7 April 2011 to all Member States requesting their views. To date, replies from the Governments of Bolivia (Plurinational State of), Estonia, Jordan, Portugal, Spain, Turkmenistan and Ukraine have been received and are reproduced in section II below. Additional replies will be issued as addenda to the present report.

II. Replies received from Member States

Bolivia (Plurinational State of)

[Original: Spanish]
[6 May 2011]

There have been significant confidence-building initiatives in Latin America and the Caribbean, the most important being the adoption in Tlatelolco of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco). This is the first and only formal Latin American disarmament agreement contributing towards regional and world peace. The binding provisions of the Treaty established Latin America as the first nuclear-weapon-free zone.

Estonia

[Original: English]
[5 May 2011]

Report of Estonia: Confidence-building measures in the regional and subregional context

2011

1. Confidence and security-building measures are valuable tools in conflict prevention as well as in post-conflict stabilization and rehabilitation. Estonia supports all regional and subregional initiatives and agreements designed to build confidence. In Europe, Estonia is an active participant in various confidence- and security-building measures, as it is widely understood that such measures help to substantially increase security and stability in the region.

2. Since it was established in 2002, Estonia has been a party to the Treaty on Open Skies, which constitutes the cornerstones of confidence- and security-building measures on conventional arms in Europe.

3. Estonia is a participating State in the Organization for Security and Cooperation in Europe (OSCE), which is a prime example of where confidence- and security-building measures have contributed to a new pattern of interaction. Under the Vienna Document 1999 on confidence- and security-building measures, Estonia annually exchanges up-to-date information with all member States of OSCE. As of 2006, the Vienna Document regional measure between Estonia and the Russian Federation has not been prolonged by the latter.

4. While not being a member State, Estonia has actively participated in the consultations on the Treaty on Conventional Armed Forces in Europe since 2010. In the case of successful conclusion of the consultations, Estonia has shown full intent in becoming a member of the amended Treaty.

Jordan

[Original: Arabic]
[21 May 2011]

Confidence-building measures at the regional and subregional levels

1. The Government of the Hashemite Kingdom of Jordan supports the efforts of the United Nations aimed at promoting confidence-building measures at the regional and subregional levels, in order to foster peace and security throughout the world. Jordan has consistently supported all General Assembly resolutions relating to peace and security at the international, regional and subregional levels, the peaceful resolution of conflicts, confidence-building measures at all levels, and disarmament and arms control, in order to avoid sowing mistrust among the States of the region, as that could potentially lead to armed conflicts in the future. Jordan is of the view that conflicts should be resolved peacefully through negotiation, enquiry, mediation,

conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements or other peaceful means chosen by the parties.

2. Jordan abides by all Security Council resolutions concerning weapons of mass destruction, disarmament, proliferation and the use of force against civilians, the latest of which are resolutions 1970 (2011) and 1973 (2011) concerning Libya. It also urges other States to respect United Nations resolutions and bilateral, regional and international instruments, including disarmament instruments.

3. Jordan has a policy of complying with instruments relating to the control of conventional weapons and weapons of mass destruction, which has a direct effect on its security policy at the regional and international levels. The country is party to several international instruments and supports many initiatives concerning conventional weapons, weapons of mass destruction, non-proliferation and counter-terrorism. It also supports the international programme of action on small arms and light weapons, in order to promote confidence and cooperation as well as establish peace and security among the States of the region and the world. Following are some of the instruments to which Jordan is party:

- The Non-Proliferation Treaty
- The Comprehensive Nuclear-Test-Ban Treaty
- The Convention on Certain Conventional Weapons
- The Chemical Weapons Convention
- The Biological Weapons Convention
- The Global Initiative to Combat Nuclear Terrorism
- The Proliferation Security Initiative.

4. Jordan has concluded several regional and international instruments concerning military matters, strictly with a view to establishing security in the region. Among the countries and organizations with which it has concluded such instruments are the United States of America, the United Kingdom, the North Atlantic Treaty Organization and the European Union. The Government of Jordan therefore provides its military forces with sufficient equipment and weapons required to defend Jordan's territory, but not for the purpose of attacking other States. The Jordanian armed forces also participate in United Nations peacekeeping operations in all parts of the world, and Jordan is considered to be one of the leading troop-contributing countries.

5. By maintaining strong cooperative relations with its neighbours in the region that are built on mutual interests, Jordan strives to establish security and peace in the Middle East. In 1994, Jordan concluded a peace treaty with Israel. Since that time, Jordan has been a regional leader in acceding to international instruments concerning arms control and the non-proliferation of weapons of mass destruction, with the aim of establishing a zone free of weapons of mass destruction in the Middle East. In 1998, Jordan signed the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction. It subsequently launched an effort to remove all landmines along its border with Israel and established the National Committee for Demining and Rehabilitation in order to monitor the demining effort, ensure that by 2012 Jordan is

free of all mines or explosives that can cause civilian casualties and provide assistance to landmine victims.

6. Jordan has been one of the leading countries in the region in providing humanitarian assistance at the international level and has always sought to alleviate the suffering of the peoples of the region. It has received many refugees and displaced persons from various countries of the region that have been beset by conflicts and wars. Moreover, the Jordanian armed forces have provided free medical services, dispatched doctors and established field hospitals in Afghanistan, Iraq, Japan, Lebanon and Pakistan, as well as the West Bank and the Gaza Strip. Some of those hospitals are still in operation.

7. Jordan believes that confidence- and security-building measures will increase stability, peace and security at the national, regional and international levels, as well as promote and strengthen equality, freedom and democracy.

Portugal

[Original: English]
[20 June 2011]

1. In terms of confidence-building measures, Portugal publishes an annual report on international trade and intermediation of defence products. Portugal also collects national data on the export of conventional weapons, which it submits to the European Union for its annual report, to the United Nations, to the Organization for Security and Cooperation in Europe, and to the Wassenaar Arrangement secretariat.

2. Furthermore, all requests for international export certificates are evaluated in accordance with the criteria of the European Union Council Common Position 2008/944/CFSP, which is legally binding in all member States of the European Union.

Spain

[Original: Spanish]
[April 2011]

Spain's approach to confidence-building measures at the regional and subregional levels

1. The ultimate goal of an arms control or confidence- and security-building measure system should be to prevent conflicts by reducing the risk of erroneous perceptions and calculations vis-à-vis the military activities of others, establishing measures that inhibit the possibility of covert military preparations, and reducing the risk of surprise attacks and of inadvertently unleashing hostilities.

2. On the basis of that criterion, confidence- and security-building measures in the regional and subregional context are invaluable as preventive measures, being adapted to regional and subregional specificities, limited to a smaller number of parties, and more stringent and consequently more effective. All the foregoing increases the likelihood that the measures will be adopted and have force.

3. At the regional level, Spain has actively participated in all initiatives that have been undertaken in this regard: it is a signatory to the Treaty on Open Skies, which includes legally binding measures, and, as a participating State in the Organization for Security and Cooperation in Europe (OSCE), is politically bound by the measures contained in the 1999 Vienna Document on confidence- and security-building measures and other OSCE documents.[1] Moreover, Spain has contributed to the implementation of the Agreement on Regional Stabilization under annex 1-B of the General Framework Agreement for Peace in Bosnia and Herzegovina (Dayton Peace Agreement).[2]

4. Among the body of principles which, in our view, should govern confidence- and security-building measures, as set forth in Spain's reply to the request for information pursuant to General Assembly resolution 65/47, the following are particularly notable at the regional and subregional levels:

- Specificity: confidence- and security-building measures should be specifically negotiated for each case and each geographical area;
- Transparency: this should be based on the smooth flow of information exchanges and building of contacts, and responsive communications;
- Verifiability: the measures adopted should include a system for verifying their implementation. That is the only way to maintain confidence in cases of suspected non-compliance;
- Reciprocity: each party's gains in terms of a higher level of confidence in the other parties should be matched by similar gains in the other parties' level of confidence; otherwise, measures of this type will be much harder to negotiate;
- Voluntary negotiations and mandatory compliance: parties should feel comfortable with the measures agreed at each stage of the process. The political will required for the negotiation of measures of this type should be commensurate with the mandatory nature of compliance with these measures;[3]
- Progressivity: the measures should be seen as a process in which new and more effective measures are progressively developed as confidence between the parties improves;
- Complementarity: care should be taken at all times to ensure complementarity between the measures adopted at the global (United Nations), regional, subregional and bilateral levels and to avoid the duplication of measures.

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[1] Such as the Code of Conduct on Politico-Military Aspects of Security, the Global Exchange of Military Information and the OSCE Document on Small Arms and Light Weapons.

[2] Specifically, article II of annex 1-B relates to confidence- and security-building measures in Bosnia and Herzegovina (similar to those in the Vienna Document) and article IV relates to measures for subregional arms control in the Republic of Croatia, the Federal Republic of Yugoslavia and Bosnia and Herzegovina (more similar to the Treaty on Conventional Armed Forces in Europe). Our country's verification unit provides assistance to and participates in the organization and implementation of the verification measures set out under such agreements. Spain is also party to article V on stabilization measures with a broader geographical scope and which entered into force on 1 January 2002.

[3] Nevertheless, an imposed CBM-CSBM system, as under article II of annex 1-B of the Dayton Peace Agreement, can be effective if accompanied by an adequate system of international arbitration.

5. Furthermore, the effective implementation of confidence- and security-building measures calls for:

- A mechanism for consultations and for follow-up to the implementation of measures. It should facilitate complaints and the solution of problems that might arise in the practical implementation of measures, as well as negotiation of new measures or the modification of existing ones;
- An appropriate communications system, or, failing that, a network of contact points among the participants. At the executive level, there is a need to ensure compliance with the time limits for response, inherent in the various measures, and at the directive level, to remain sufficiently flexible to channel the information flow and to take decisions enabling confidence to be restored in the face of possible alarms.

Turkmenistan

[Original: Russian]
[23 May 2011]

General Assembly resolution 65/47, entitled "Confidence-building measures in the regional and subregional context"

1. In the short period since gaining independence, Turkmenistan has taken its rightful place among the progressive and dynamic countries of the world. Our country has achieved important successes in the economic and social development of society and the State and is actively working to build peace. It has acquired the status of permanent positive neutrality, recognized by the United Nations, which is the underpinning of its domestic and foreign policy, designed to strengthen social stability and harmony and develop friendly and mutually beneficial relations with the States of the region and throughout the world.

2. Turkmenistan maintains a peaceful foreign policy, developing relations with other States based on the principles of equal rights, mutual respect and non-interference in the internal affairs of other States. This is reflected in article 3 of the Act on permanent neutrality of Turkmenistan dated 27 December 1995.

3. In accordance with that Act, Turkmenistan does not participate in military blocs and unions or inter-State associations with rigid obligations or involving participants' collective responsibility. The foreign policy of Turkmenistan does not limit or infringe upon the interests of other States, nor does it threaten their security (article 4 of the Act).

4. Turkmenistan has undertaken not to start wars or military conflicts, participate in such wars or conflicts (except in exercise of the right to self-defence) or engage in any political, diplomatic or other steps that might lead to wars or military conflicts (article 5 of the Act).

5. Turkmenistan pursues international economic cooperation on the basis of equal rights, mutual advantage and the interests of the parties involved. It regards such cooperation as an essential tool for confidence-building among countries and regions and for maintaining peace and stability (article 7 of the Act).

6. The new version of the Constitution of Turkmenistan was approved on 26 September 2008. This was done on the basis of the inalienable right of Turkmenistan to determine its future and in keeping with its responsibility for the present and future of the homeland; as an expression of fidelity to the ancestral tenets of living in unity, peace and harmony; to preserve national values and interests while strengthening independence, sovereignty and the permanent neutral status of Turkmenistan; to guarantee the rights and liberties of every person and citizen while striving to ensure civil order and national harmony in society; and to secure the foundations of the rule of the people and of a democratic, law-based and secular State.

7. In accordance with the present Constitution, Turkmenistan, a fully fledged member of the international community, maintains its foreign policy based on the principles of permanent neutrality and non-interference in the internal affairs of other countries, renunciation of the use of force and participation in military blocs and unions, and the promotion of peaceful, friendly and mutually beneficial relations with the countries of the region and States throughout the world (article 6 of the Constitution).

Ukraine

[Original: Russian]
[11 May 2011]

1. Ukraine is promoting the establishment of new confidence- and security-building mechanisms on the basis of mutual understanding and openness in military and political activities, and is playing an active role in regional and subregional arms control systems.

2. The normative basis for international cooperation on confidence- and security-building measures within the framework of the Organization for Security and Cooperation in Europe is the 1999 Vienna Document.

3. The Government is enhancing both bilateral and multilateral cooperation in the context of regional security systems in order to establish zones of stability and mutual confidence around Ukraine.

4. In accordance with chapter X of the 1999 Vienna Document, Ukraine is developing bilateral cooperation with neighbouring States on confidence- and security-building measures.

5. Ukraine is actively collaborating with Belarus, Hungary, Poland and Slovakia through the following bilateral intergovernmental agreements:

(a) Agreement between the Cabinet of Ministers of Ukraine and the Government of the Republic of Belarus on additional confidence- and security-building measures;

(b) Agreement between the Cabinet of Ministers of Ukraine and the Government of the Republic of Hungary on confidence- and security-building measures and the development of bilateral military contacts;

(c) Agreement between the Cabinet of Ministers of Ukraine and the Government of the Republic of Poland on confidence- and security-building measures;

(d) Agreement between the Cabinet of Ministers of Ukraine and the Government of the Slovak Republic on additional confidence- and security-building measures.

6. The agreements provide for prior notification of military activities, for invitations to observe exercises, and for inspections of and visits to military units.

7. In accordance with the agreements, the parties each conduct two to three confidence- and security-building measures per year in their countries in addition to the quota of inspections established in the 1999 Vienna Document.

8. Since the entry into force of the agreements (2001 in the case of Slovakia; 2002 in the case of Belarus and Hungary; and 2004 in the case of Poland), 115 measures have been conducted in Ukraine and elsewhere.

9. The annual working meetings held to assess implementation of the agreements provide an opportunity for open dialogue to take place on the establishment of new mechanisms for cooperation.

10. An important confidence-building step is for parties to agreements to refrain from tactical military exercises at the battalion scale and above in the vicinity of the borders with their neighbours.

11. A document on naval confidence- and security-building measures in the Black Sea has been in force since 2003. This politically binding document provides for measures aimed at improving regional security and stability, and at establishing good-neighbourly relations and cooperation.

12. Within the framework of the document, coastal States (Bulgaria, Georgia, Romania, the Russian Federation, Turkey and Ukraine) exchange navigation, hydrographic and meteorological information.

13. In addition, the participating States voluntarily:

(a) Inform one another of environmental problems and conduct joint exercises and training in that field;

(b) Cooperate to counter terrorism and other threats and challenges to security, including, where necessary, providing assistance to combat organized crime and illicit trafficking in drugs and weapons;

(c) Take steps to prevent interference in maritime navigation and air traffic in order to provide assistance in eliminating unjustified tension and reducing the risk of confrontation.

14. The document provides an opportunity to widen and deepen contacts between the naval structures of the participating States and to organize joint activities (annual naval confidence-building exercises and visits to naval bases).

15. The Black Sea Naval Cooperation Task Group (BLACKSEAFOR) Agreement between Bulgaria, Georgia, Romania, the Russian Federation, Turkey and Ukraine has been in force since 2001.

16. A multinational naval cooperation force, BLACKSEAFOR was established to further promote friendship, good-neighbourly relations and mutual trust among the States of the Black Sea, and to strengthen peace and stability in the region by deepening cooperation and interaction among naval forces. It is a naval (maritime) on-call task force.

17. The main areas of BLACKSEAFOR activities are: search and rescue, humanitarian assistance, anti-mine and environmental protection operations; goodwill visits and other measures agreed upon by States parties.

18. The primary purpose of the BLACKSEAFOR force is the conduct of exercises, which take place twice a year (in April and August) and entail the implementation of a common training programme and goodwill (friendly) visits to the ports of States parties to the Agreement.

19. During the period 2001-2011, 17 BLACKSEAFOR exercises have been conducted.

20. In 2004, four Black Sea States — Romania, the Russian Federation, Turkey and Ukraine — founded operation "Black Sea harmony", in accordance with the principles of the Charter of the United Nations and Security Council resolutions 1373 (2001), 1540 (2004) and 1566 (2004), which call upon all States to pool their efforts to combat terrorism and trafficking in illicit goods and weapons of mass destruction and their delivery systems.

21. The operation's primary objectives are: to maintain a naval presence on commercial maritime routes; to engage in ongoing surveillance of the situation at sea and in the air in national naval zones of responsibility; to conduct intelligence operations (as required); to exchange information on suspicious vessels; and to coordinate action through the operation's permanent coordination centre (located at a naval base in the city of Eregli, Turkey).

22. We believe that the active participation of Ukraine in implementing existing treaties on international conventional arms, particularly agreements with neighbouring States on additional confidence- and security-building measures, promotes the maintenance of peace and stability in the regional and subregional contexts.